

ORIGINAL

FILED

July 19 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

**IN THE SUPREME COURT OF THE
STATE OF MONTANA
Supreme Court No. DA 10-0063**

DANIEL and ELAINE BADLEY,

Plaintiff and Appellee,

-VS-

CLINTON JOHN MORRIS,

Defendant and Appellant.

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REQUEST FOR LEAVE TO FILE A REPLY BRIEF

COMES NOW, counsel for the Appellant and respectfully requests leave to file a Reply Brief beyond the deadline for filing in the above-referenced matter. This request is based on the fact that the filing deadline was erroneously calendared for 30 days instead of 14 days, and this Request was filed immediately upon discovery. Appellant's 8-page Reply Brief is fully ready to be filed at this time.

Counsel for Appellee, Anne Biby, has been contacted and opposes this Request.

Appellant's counsel apologizes for any inconvenience caused to the Court.

DATED this 16th day of July, 2010.

MORRISON & FRAMPTON, PLLP
Attorneys for Defendant/Appellant

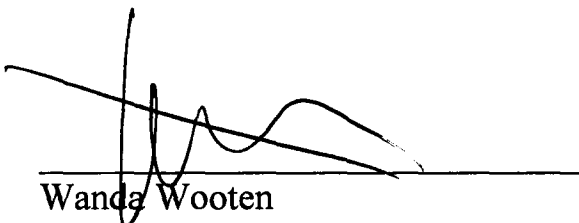
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CERTIFICATE OF MAILING

The undersigned does hereby certify that on the 16th day of July, 2010, a true and correct copy of the foregoing document was served upon the persons named below, at the addresses set out below their names, either by mailing, hand delivery, or Federal Express, in a properly addressed envelope, postage prepaid, or by telecopying, as indicated below.

Anne G. Biby
Hash, O'Brien & Biby, PLLP
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[XX] U.S. Mail (first class postage)


Wanda Wooten
Morrison & Frampton, PLLP